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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/700,829
Filing Date: November 03, 2003
Appellant(s): FEUERMAN, KENNETH E.

Brenda M. Leeds Binder
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/23/2008 appealing from the Office action mailed 12/05/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 20040254791A1, Coifman et al, provisional 60/451,024 filed 03/01/2003

US 20020067854A1 Reintjes et al Filed 12/01/2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 11, 12, 22, 24, 34-35, 45, and 47-52 are rejected under 35 U.S.C. 103(a) as being unpatentable **Coifman et al.** US 20040254791A1, Provisional No. 60/451,024 filed 03/01/2003 (hereinafter Coifman), in view of **Reintjes et al.** US 20020067854A1 filed 12/01/2000 (hereinafter Reintjes).

*Regarding **independent claim 1**,* Coifman teaches:

A computer-implemented method for generating an audio-based represented electronically as a digital audio file, the audio-based form including one or more data fields,

(See Coifman at Fig. 2-3 and Para 29-30, and Para 39, discloses a speech recognition system, includes audio-based form including one or more data fields and form database.)

defining structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields;

(See Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form. As illustrated in Fig. 3, the context specific sub-databases 381 (pertaining to the medical findings field) and 382 (pertaining to the medical interpretations field) may include contextually intertwined text strings that the speech recognition system of the present invention must identify and properly select so as to achieve the efficiencies of the present invention. This allows user to include a name and a description of a type of user data expected for each of the data fields.)

where the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data filed.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in

computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

the audio-based form, and encoding the zoning and structural information in one or more audio signals; and incorporating the one or more audio signals including the encoded zoning and structural information into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fig. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and

273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

To support the above interpretation, the Examiner reads the claimed consistence with Applicant's Specifications, which states, "*zoning and structural information corresponding to the form shown in FIG. 1. The form's author defined a name, location and data type for each field. For example, the Employee Name field*," at Page 8 Lines 13-15.

In addition Coifman does not expressly teach, but Reintjes teaches:

the method comprising: defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields.

(See Reintjes at Para 34-42, discloses the zoning defining by temporal rule selection.

Also see Reintjes at Para 32-34, discloses fill out forms from top to bottom and from page 1 to page N in order. For example, address and name fields contain collections of short strokes with certain characteristics (printed letters) and numeric fields (SS#, zip codes etc.) that can be identified as such in many cases. In this case, the content of the data, as well as its location, can be used to make decisions regarding the form. If there are check boxes or circled entries (e.g. Sex M/F), they can be used as reliable indicators of which page is being used as well as the forms paper alignment on the clipboard. For the purposes of this discussion, data that can be identified based on the foregoing characteristics will the referred to as "content identifiable data." To support

the above interpretation, the Examiner reads the claimed consistence with Applicant's Specifications, which states, "*zoning and structural information corresponding to the form shown in FIG. 1. The form's author defined a name, location and data type for each field. For example, the Employee Name field*," at Page 8 Lines 13-15.)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Coifman's zoning information identifying a temporal location and temporal dimensions of the one or more data fields, to include a means of utilizing a speech recognition system, includes audio-based form including one or more data fields and form database of Coifman. One of the ordinary skills in the art would have been motivated to modify this combination, because both Coifman and Reintjes teach method of electronic form filling, it would have been obvious to one skilled in the art to substitute one method for another (i.e. pen based input for audio input) to achieve the predictable result of accurately transcribe the speech into to text (see Coifman at Para 20). Also, It would be desirable to have an electronic form is being filled out by an individual, that is automatically identifying the form and individual pages so that data input by an individual could be automatically associated with the correct page of the correct form (see Reintjes at Para 6).

Claim 11, Coifman teaches:

wherein data entered on the form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structure information external to the form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form.)

Regarding ***independent claim 12,***

the rejection of claim 1, which cites above is fully incorporated and is similarly rejected along the same rationale.

In addition, Coifman teaches:

generating a form definition defining the audio-based form, wherein audio data entered into the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form.

(See Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form;

Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

*Regarding **independent claim 22**,*

the rejection of claim 12, which cites above, and is fully incorporated and is similarly rejected along the same rationale.

Regarding ***independent claim 24***,

is directed toward a computer program product performing the method of claim 12, which cites above and is similarly rejected under the same rationale.

Claim 34, Coifman teaches:

wherein data entered on the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Regarding ***independent claims 35 and 45***,

are directed toward a computer program product performing the method of claim 12, which cites above and is similarly rejected under the same rationale.

Claim 47, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech

input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Claim 48, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Claim 49, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into on or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Claim 50, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Claim 51, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

Claim 52, Coifman teaches:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and incorporating the one or more audio signals including the encoded instructions into the audio-based form.

(See Coifman at Para, discloses input speech is provided to the speech recognition system via a voice collection device; Also see Coifman at Fig. 3 and Para 41, discloses a speech recognition system, includes audio-based form including one or more data fields and form database; whereby input fields that are related to other input fields within the overall electronic form; Also see Coifman at Fog. 3 and Para 32, discloses text input may need to be input into a medical form 310, that includes a patient's name, shown in computerized form field 315, the patient's address, shown in computerized form field 318, the patient's phone number, shown in computerized form field 320, and the patients age, shown in computerized form field 320. Sub-databases 371, 372 and 373 shown in FIG. 3 are specific examples of the general field sub-databases 271, 272 and 273 of FIG. 2. These sub-databases provide first-pass text strings for matching speech input provided by the doctor when populating form fields 315, 318 and 328 (FIG. 3) respectively.)

(10) Response to Argument

Brief description of cited prior art:

Coifman et al. disclose a method for (Speech to Text) voice dictate and speech recognition utilizing speech application interact (SAPI, SRAPI Protocols) to apply to text string dictated into defined locations of forms, or documents or into database fields, wherein the speech recognition software looks for the best possible match with combinations of single word text strings loaded into the vocabulary of the application (Speech to Text) See Coifman Provisional at Fig. 1 and at Pages 3 -4 section "Description concept". Also see Coifman PGPUB US 20040254791A1 at Fig 6 and Para 39-41 further discloses the speech recognition/voice transcription system in that a text string is dictated into the interpretations field of electronic form, table is loaded and consulted to achieve the best possible textual input for dictated speech and the context identification module may rely upon other relational data associated with the text strings to determine the highest probability input.

Reintjes et al. disclose a method for defining the temporal location rules and selection of the temporal location as well as theirs dimensions, See Reintjes at Para 32-34 and 34-42.

Response to Arguments:

Beginning on page 6 of the appeal brief (hereinafter the brief), Appellant argues the following issues, which are accordingly addressed below.

Appellant argues, claims 1, 11 and 47 improperly rejected under 35 USC 103 (a) as being unpatentable over Coifman, in view of Reintjes, because of the following:

i) Examiner may rely on matter included in Coifman US 20040254791A1 rather Coifman Provisional; however, Appellant's argument hereinafter of the brief if reference to Coifman US 20040254791A1 rather Coifman Provisional without conceding that does so without conceding that said portions are supported by and disclosed in Coifman Provisional, unless specifically stated to be citations to Coifman Provisional. See the brief Para 1 Page 7,

ii) Coifman fails to teach "*audio based form*" of claim 1, because, "*Advantageously, the form can be completed by someone who is visually impaired or otherwise cannot read the language in which the form is prepared, or the form can be transmitted over a medium that does not include a means for visual display, e.g., over the telephone. Coifman does not disclose such an audio-based form.*" see the brief at Para 3 Page 7;

iii) Reintjes and Coifman fail to teach "*audio based form*" of claim 1, because, neither references disclose " *audio signals recording a voice speaking a name of*

a data field followed by a pause during which a user can speak the user data expected to be provided for the data field." see the brief at Para 1 Page 8;

iv) Reintjes fails to teach "*temporal location…or temporal dimension*" of claim 1, because, Reintjes "*pen based system for use with a paper form*" see the brief at Para 2 Page 8;

v) Coifman fails to teach "*encoding structural information*" of claim 1, because, Coifman's "*forms fields*" is not the same encoding structural information of claim 1, see the brief at Para 2 Page 9;

To address item i) *Examiner may rely on matter included in Coifman US 20040254791A1 rather Coifman Provisional; however, Appellant's argument hereinafter of the brief if reference to Coifman US 20040254791A1 rather Coifman Provisional without conceding that does so without conceding that said portions are supported by and disclosed in Coifman Provisional, unless specifically stated to be citations to Coifman Provisional.* See the brief Para 1 Page 7,

For purposes of responding to Appellant's arguments, the examiner will assume that Appellant is arguing for the patentability of Claim 1.

The examiner respectfully disagrees.

As discuss above, Coifman et al. disclose a method for (Speech to Text) voice dictate and speech recognition utilizing speech application interact (SAPI, SRAPI Protocols) to apply to text string dictated into defined locations of forms, or documents or into database fields, wherein the speech recognition software looks for the best possible match with combinations of single word text strings loaded into the vocabulary of the application (Speech to Text) See Coifman Provisional at Fig. 1 and at Pages 3 -4 section "Description concept". Also see Coifman PGPUB- US 20040254791A1 at Fig 6 and Para 39-41 further discloses the speech recognition/voice transcription system in that a text string is dictated into the interpretations field of electronic form, table is loaded and consulted to achieve the best possible textual input for dictated speech and the context identification module may rely upon other relational data associated with the text strings to determine the highest probability input.

Thus Coifman PGPUB- US 20040254791A1 specification is supported by Coifman Provisional specification. Also, see MPEP 201.11, which is stated, "*The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application); the disclosure of the invention in the prior application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112.*" Thus Coifman US 20040254791A1 and Coifman Provisional specification is supported each other.

To address item ii) Coifman fails to teach "*audio based form*" of claim 1, because, "*Advantageously, the form can be completed by someone who is visually impaired or otherwise cannot read the language in which the form is prepared, or the form can be transmitted over a medium that does not include a means for visual display, e.g., over the telephone. Coifman does not disclose such an audio-based form.*" see the brief at Para 3 Page 7;

For purposes of responding to Appellant's arguments, the examiner will assume that Appellant is arguing for the patentability of Claim 1.

The examiner respectfully disagrees.

The Examine believes the appellant's arguments; specifically the limitation of "*Advantageously, the form can be completed by someone who is visually impaired or otherwise cannot read the language in which the form is prepared, or the form can be*

transmitted over a medium that does not include a means for visual display, e.g., over the telephone. Coifman does not disclose such an audio-based form." is not positively recited in the claim language. Appellant has merely pointed to his/her overly narrow interpretation of the claim limitations to support his/her argument and has identified no teaching in Coifman, which precludes its modification as set forth in the rejections.

For further clarification, as explained in the above rejection for Claim 1, Coifman further discloses a method for (Speech to Text) voice dictate and speech recognition utilizing speech application interact (SAPI, SRAPI Protocols) to apply to text string dictated into defined locations of forms, or documents or into database fields, See Coifman Provisional at Fig. 1 and at Pages 3 -4 section "Description concept". Also see Coifman PGPUB US 20040254791A1 at Fig 6 and Para 39-41 further discloses the speech recognition/voice transcription system in that a text string is dictated into the interpretations field of electronic form, table is loaded and consulted to achieve the best possible textual input for dictated speech and the context identification module may rely upon other relational data associated with the text strings to determine the highest probability input.

Also see Reintjes et al. disclose a method for defining the temporal location rules and selection of the temporal location as well as theirs dimensions, See Reintjes at Para 32-34 and 34-42.

Accordingly, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Coifman's audio or electronic based form capable of speech to text to apply to text string dictated into defined locations of

forms, or documents or into database fields to include a means of defining the temporal location rules and selection of the temporal location as well as theirs dimensions as taught by Reintjes. One of the ordinary skills in the art would have been motivated to modify this combination, because Coifman (audio or electronic based form capable of speech to text) and Reintjes teach method of electronic form filling defining the temporal location rules and selection of the temporal location as well as theirs dimensions in ordered to gain a predictable result of said desirable to have an electronic form is being filled out by an individual, that is automatically identifying the form and individual pages so that data input by an individual could be automatically associated with the correct page of the correct form (see Reintjes at Para 6) utilizing the Speech to text of Coifman.

This interpretation is supported by Appellant's disclosure, which is stated, "*Implementations can include one or more of the following. The medium can be visual medium (e.g., paper) and the zoning and structural information can be encoded in a … be an audio medium zoning and structural information can be encoded in an audio signal,*" See Appellant's Specs at Page 3, Lines 16-18.

Thus, Coifman in view of Reintjes clearly discloses the audio based form defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields and provide proper reasons to combine.

To address item iii) Reintjes and Coifman fail to teach "*audio based form*" of claim 1, because, neither references disclose " *audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field*." see the brief at Para 1 Page 8;

For purposes of responding to Appellant's arguments, the examiner will assume that Appellant is arguing for the patentability of Claim 1.

The examiner respectfully disagrees.

As discuss above, Coifman Provisional disclose transmit voice cache output sends all text output back to data source as data comprising new record(s) in the fields in which it is entered. It recognizes and marks pauses in dictation, and identifies text segments by origin as coming from either recognition of virtual vocabulary loaded as commands, or from matching with text in the vocabulary and will break text at punctuation marks, numbers, phrases and pauses in dictation, see Coifman Provisional at Page 15 Para 4-6. This allows recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field. Thus Coifman clearly discloses audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field as claimed.

To address item IV) Reintjes fails to teach "*temporal location…or temporal dimension*" of claim 1, because, Reintjes "*pen based system for use with a paper form*" see the brief at Para 2 Page 8;

For purposes of responding to Appellant's arguments, the examiner will assume that Appellant is arguing for the patentability of Claim 1.

The examiner respectfully disagrees.

As discuss above, Coifman discloses a method for audio or electronic based form capable of speech to text, See Coifman Provisional at Fig. 1 and at Pages 3 -4 section "Description concept". Also see Coifman PGPUB US 20040254791A1 at Fig 6 and Para 39-41 further discloses the speech recognition/voice transcription system in that a text string is dictated into the interpretations field of electronic form, table is loaded and consulted to achieve the best possible textual input for dictated speech .

In view of Reintjes et al. disclose a method for defining the temporal location rules and selection of the temporal location as well as theirs dimensions, See Reintjes at Para 32-34 and 34-42.

Accordingly, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Coifman's audio or electronic based form capable of speech to text to apply to text string dictated into defined locations of forms, or documents or into database fields to include a means of defining the temporal location rules and selection of the temporal location as well as theirs dimensions as taught by Reintjes. One of the ordinary skills in the art would have been motivated to

modify this combination, because Coifman (audio or electronic based form capable of speech to text) and Reintjes teach method of electronic form filling defining the temporal location rules and selection of the temporal location as well as theirs dimensions in ordered to gain a predictable result of said desirable to have an electronic form is being filled out by an individual, that is automatically identifying the form and individual pages so that data input by an individual could be automatically associated with the correct page of the correct form (see Reintjes at Para 6) utilizing the Speech to text of Coifman. This interpretation is supported by Appellant's disclosure, which is stated, "*Implementations can include one or more of the following. The medium can be visual medium (e.g., paper) and the zoning and structural information can be encoded in a … be an audio medium zoning and structural information can be encoded in an audio signal,*" See Appellant's Specs at Page 3, Lines 16-18.

Thus, Coifman in view of Reintjes clearly discloses the audio based form defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields and provide proper reasons to combine.

To address item v) Coifman fails to teach "*encoding structural information*" of claim 1, because, Coifman's "*forms fields*" is not the same encoding structural information of claim 1, see the brief at Para 2 Page 9;

For purposes of responding to Appellant's arguments, the examiner will assume that Appellant is arguing for the patentability of Claim 1.

The examiner respectfully disagrees.

As discuss above, Coifman Provisional discloses a method for audio or electronic based form capable of speech to text, wherein vocabulary, the voice recognition software attempts to match speech input to text in the vocabulary that would be used, the relatively small "virtual vocabularies" are assigned to specific fields, areas or subject-specific regions of forms, spreadsheets and any other data input areas within software and web pages, for example, in which it is possible to identify sets of text strings that have a high likelihood of recurring use. This allows the voice input onto utilizing the voice cache program to result in the specific fields, areas or subject-specific regions of forms, spreadsheets and any other data input areas within software and web pages. This allows the voice input encoding into text for specific fields, areas or subject-specific regions of forms, spreadsheets and any other data input areas within software and web pages (i.e. structure document) See Coifman Provisional at Fig. 1 of Page 2 and Para 1-2 of Page 3. This interpretation is supported by Appellant's disclosure, which is stated, "*encoding information in a visual medium in which the form will be presented. The encoded zoning and structural information is incorporated in a visual representation of the form. The data entered on the form by a user can be extracted from the representation based on the encoded zoning and structural information*," See Appellant's Specs at Page 3, Lines 10-14. Thus, Coifman clearly discloses encoding structural information as claimed.

In addition, the Appellant argues, claims 12, 48, 22, 49, 24, 34, 50, 35, 51, 45 and 5 *improperly rejected under 35 USC 103 (a) as being unpatentable over Coifman, in view of Reintjes, because of the similar reason cites in items I) through V) cited above;*

The examiner respectfully disagrees.

As discuss above, Coifman in view of Reintjes clearly discloses the audio based form defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields and provide proper reasons to combine (see items I) through V) cited above for details).

Therefore the Examiner respectfully maintains the rejection of claims 1, 11-12, 22, 24, 34-35, 45 and 47-52, and should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Patent Examiner

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